



Representative Phil Rockefeller

23rd Legislative District

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Agriculture and
Natural Resources (Vice Chair)

Transportation (Vice Chair)

Education

Joint Legislative Audit &
Review Committee
(Vice Chair, Past Chair)

Legislative Ethics Board

Puget Sound Council



A Report on Your State Government: 2004

Spring 2004

To my friends and neighbors –

It's been my privilege to serve the fine people of the 23rd district for close to six years. In all that time I've focused on those core issues that affect the largest number of people in our district: quality schools, affordable health care, good-paying jobs with benefits and a healthy economy, a place to live that sustains us and future generations, ferry service that's reliable, safe and affordable . . . and I'm pleased to say, when I look back, we've made significant progress in those areas.

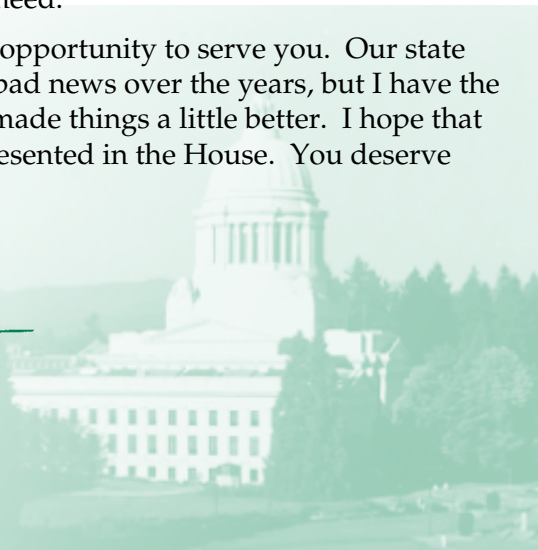
This year, during my final session as a member of the House of Representatives, that forward movement continued. Certainly there were disappointments; that is the nature of our democracy. But in some important areas I noticed this year less of the bitter partisanship that has had such a damaging impact on our state in recent times. To be sure, I can't say whether that is a hopeful sign for the future, or merely a short-lived "time-out." In any case, there were moments during the 2004 session with the potential to rebuild citizens' trust in government. For me that's crucial.

What follows is a brief report on some of the highs and not-so-highs of the 2004 session. Due to space limitations, many issues will not be mentioned, and those that are mentioned might be dealt with in less detail than you wish. If that's the case, please visit my legislative webpage (<http://hdc.leg.wa.gov/members/rockefeller/>) or contact my district office (360-792-2140) for additional information. We'll try to get you what you need.

Again, I'm grateful for the opportunity to serve you. Our state has seen both good news and bad news over the years, but I have the feeling that together we have made things a little better. I hope that you've felt you were well represented in the House. You deserve nothing less.



Phil Rockefeller
State Representative



A Report on Your State Government: 2004

Health Care

Nationwide, and in our state, there's a growing crisis around health care: access, quality and affordability. We addressed health care on several fronts this session. There were some steps in the right direction, but there were some frustrating roadblocks thrown up by folks who'd rather complain than come up with solutions.

- **Healthy Kids:**

Last year's budget slapped Medicaid premiums on thousands of Washington parents who could least afford them. As many as 20,000 children were in danger of losing their health care if the premiums had taken effect this year, as they were scheduled to do. I'm grateful that this year, in a no-new-taxes budget, we were still able to eliminate children's Medicaid premiums for families with incomes up to 150 percent of the Federal Poverty Level. As a result, more kids will grow up healthy.



- **Hospital Funding:** This year's budget gives local hospitals nearly \$20 million in new funding so they can continue to serve patients with no medical coverage – an investment that will avoid more acute conditions and costs in the long run.

- **Home Health Care:**

There are quite a few people in Olympia who know the cost of everything, but are slow to see the value of anything. That's why it took us a year longer than it should have to honor a collective bargaining agreement with the state's home health-care workers that gives these valuable service providers a modest 50-cent per hour pay raise, and gives them health and worker's compensation benefits for the first time ever. The upshot, besides respecting the work that these people do, is that our seniors and other vulnerable relatives and neighbors can continue to live with dignity at home, despite their frailties.



- **Patient Safety & Medical Malpractice Reform** – The House addressed this set of issues by hearing and passing 17 bills,

each designed to address a particular problem affecting access to and affordability of health care and/or medical malpractice insurance. These reforms protected the constitutional right of citizens to have a jury decide damages for injuries sustained. I supported the entire package. In the Senate, the Republican leadership chose instead to seek a dollar "cap" on damages, despite the constitutional barrier. Not only is there no convincing evidence that "caps" work to lower insurance costs in other states, but I seriously doubt whether Washington citizens will ever approve a limit on their right to trial by jury (which our Supreme Court has said includes the determination of damages in a tort case). The Senate itself could not muster the votes for a proposed constitutional amendment. Instead of taking the practical steps that were at hand, the Senate allowed the multiple reforms that the House had passed to die in the Senate.



Audit Panel Works for Accountability

Although House efforts to give the State Auditor's office the power to conduct performance audits of state agencies died in the Republican-led Senate, I can assure you that significant performance audits ARE being done. They have been for years, by the bipartisan group called the Joint Legislative Audit & Review Committee. I've served as chair, and presently am vice-chair, of the Committee. It's always been my goal to see that tax dollars are spent wisely and well. As a leader of the 16-member panel I've had the opportunity to oversee numerous independent performance audits, sunset reviews, and program evaluations of state functions. Even without the State Auditor's involvement, JLARC has served the people well: Since 1990, JLARC has pro-

duced 140 reports and made more than 450 recommendations to legislators, resulting in savings of more than \$500 million. To review JLARC's activities and audit reports, take a look at their website (www.jlarc.leg.wa.gov).

Protecting Our Children

Keeping children safe may be the most important job a society faces. Our laws have to be tough, but they also have to be smart. That's why I helped defeat a well-intentioned but poorly thought-out GOP measure that prosecutors said would inadvertently *increase* the likelihood of many sexual abusers of children going unpunished and untreated. I voted instead for a

much better bipartisan bill that will assure longer sentences for most child molesters. I also supported (and spoke in favor of during floor debate) a bill that makes it easier for our schools to weed out job applicants with sexual misconduct in their backgrounds. Both bills are now law.



A Report on Your State Government: 2004

Sustaining our Natural Resources

When asked what my top three natural resources priorities are, I usually reply, "Everything depends upon water." Without clean and plentiful water – at the right time, and in the right amounts, our natural and man-made environment would suffer. Certainly, our stewardship responsibilities include more than water, but they must begin there. Again this year, I was proud to move a number of natural-resource issues "to the front burner" in Olympia. Our victories included:

- **Funding for instream-flow study** — to develop rules and water mapping that are needed to ensure adequate water flows in Washington's rivers and streams...for fish, farming, wildlife habitat, and recreation.
- **Funding for wetland-mitigation "banking"** — to foster cooperative partnerships for preserving wetlands, which provide critical wildlife habitat.

- **Funding for water-borne toxics reduction** – to minimize the occurrence of toxics such as mercury, garden chemicals, PBTs, and flame retardants in our water.

Most significant, I believe, is a bill I worked on throughout the session to *prevent*, not just *respond to*, oil spills in our water: I was determined to do this when our District was victimized by the Point Wells oil spill that fouled Kitsap beaches, sea-life habitats and 105 square miles of Puget Sound waters.

Oil and water don't mix. The immediate problems we see when an oil spill occurs like the damage near Indianola are just one layer of the damage that spills do. Beneath those first effects are lost jobs, loss of tourism and economic activity, and precious habitat compromised. Because so much depends on avoiding spills, we prepared and passed a policy stressing strong preventive measures.

The new zero-spills strategy shifts the emphasis from cleaning up spills to preventing them by requiring oil-containment barriers or other effective spill-prevention methods to be in place *prior* to risky fuel

transfers. This focus will prevent millions of dollars in damage and cleanup costs. Environmentalists liked this approach because it reduces risk to the marine environment. Property owners like it because there is less risk of damage to valuable beachfronts. Business leaders liked it because it is more *cost-effective*, long-term, to prevent than to pay damages afterward. The result: united support for the most important state oil-spill legislation in more than a decade.

"This is the first time in memory that the legislature provided all wins and no losses for the environment."

Joan Crooks,
Executive Director
Washington Environmental Council

Education



This was a good year for our students, at every level. We're still lagging on education funding, including pay for teachers and classified school employees, not to mention community college instructors, but in these lean times we were able to do some things that needed attention.

- **WASL Reform:** Instead of a single test result deciding if a student can graduate, we provide for up to four retakes on each segment of the 10th grade test. We also provide for alternative equivalent measures, and allow the fulfillment of an individual educational plan (IEP) by a special ed student to provide the basis for her or his graduation from school.
- **Expanded Levy Fund Base/Levy Equalization:** Changes in these two areas will provide school districts millions in additional funding next year, based upon already voter-approved taxes. Districts in Kitsap will receive over \$1 million more
- than they had been able to collect under prior state law.
- **Learning Assistance Program:** LAP funding has been extremely successful in assisting schools in raising student achievement. Often, however, once grades improved, the funding ceased because the school was no longer classified as underperforming. We did away with this Catch-22, so our schools can be rewarded, not punished, for succeeding.
- **More Enrollment Slots at Colleges and Universities** – Although it isn't nearly enough, we were able to allocate \$10 million in the supplemental operating budget to fund 3,000 additional enrollment slots in higher-education institutions throughout the state. Also, we will spend \$7 million next year to allow more students to enroll in high-demand fields like nursing, computer science and biotech, all of them of interest to Kitsap residents.
- **Promise Scholarships** – Enrollment slots without the money to pay tuition don't

mean much, so we stepped up funding for Washington Promise Scholarships by \$4.3 million.

- **Charter Public Schools** – The question of whether to authorize charter public schools in Washington has been an unnecessarily controversial issue that has kicked around the Legislature for almost a decade without resolution. A rigorously-written, limited-scope and bipartisan charter-school bill finally passed this year and was signed by Gov. Locke – making us the 41st state to authorize these alternative public schools. I took the lead in rewriting this bill to protect the role of publicly elected school boards and the State Superintendent in choosing or overseeing charter agreements, and to focus the potential use of this option upon struggling schools that may need restructuring under current federal and state law. For me, the important goal is to help all students succeed, and to expand the number of quality public schools. Not many school boards will rush to embrace it, but in exceptional circumstances they should have, and may need this option.

The Ferry Service We Deserve

When it comes to security and safety on our ferries, as well as reliability of service, I believe we must remain vigilant and focused. Accordingly, as vice chairman of the House Transportation Committee, I led the bipartisan Ferry Caucus’ efforts in recent years to restore and stabilize state ferry funding in the wake of I-695, build new auto vessels, and improve the security of the Washington State Ferry System. Progress has been made, system-wide, as well as in relation to the Kitsap ferry routes in particular.

In 2002 I wrote Senator Murray and others in our state’s Congressional delegation to describe the severe impacts and heavy costs of pending U.S. Coast Guard mandates for WSF security procedures. I urged her to intervene to seek a result that better fit the realities, and to seek federal funds to reduce the costs to riders and WSF. My efforts were rewarded when the Coast Guard informed Sen. Murray that they would update her as they reworked the guidance with the direct participation of the leaders of the Washington State Patrol and WSF. I believe the revised guidance, issued in 2003, will improve vessel and rider security, without crippling the ability of WSF to carry out its transportation mission.

This year, I successfully urged state funding (beyond the federal funds obtained by our Congressional delegation) to enable the Patrol and WSF to carry out their enlarged safety and security responsibilities for people and vessels.

Both last year and this year, I have met several times with Secretary of Transportation MacDonald (and separately with the chief executive of WSF) to focus attention on the need for improved customer service (including restored on-board food service, properly maintained restrooms, and assistance to passengers) identified by constituents and by my own observations and review of financial and performance audits.

Legislation I wrote last year cleared the way for private passenger-only ferry (POF) operators and Kitsap Transit to join in offering POF service from Kingston and Bremerton. Two operators, with full support from Kitsap Transit, will seek early approval to commence POF runs from Kingston and Bremerton, respectively, to downtown Seattle. It’s good news that all of us, as taxpayers, can enjoy the fact that this improvement in service is not dependent upon state or local tax dollars. Whatever our reason for wanting better service – commuter, shopper, realtor, merchant, or student – the fact that we are on the verge of faster and more direct cross-Sound connections to Seattle comes as the best news of all, after more than a decade of false starts and dashed hopes in Olympia.

Jobs and the Economy

Whether one thinks of our current economic situation as a true recession, an extended slump or the “jobless recovery” that some are calling it today, the fact is Washington’s unemployment figures are unacceptably high. While state government cannot completely solve what is clearly a national, even international, problem, we can do

our best to improve the job and business climate, through careful investing of public monies and by making Washington an inviting place to start and run a business. The state’s various budgets are perhaps our most direct job-makers, both in the public and private sector. During this biennium we have invested billions in transportation projects – including the building and purchase of new auto ferries – and our capital budget is funding countless college and university construction projects throughout the state. Our other direct actions to improve the state’s economy include:

- funding for local school district building projects;
- incentives to protect the aerospace job base and industry that is located in Washington, to add new jobs as well as retain existing jobs and enterprises; and
- renewal/extension of the research-and-development (R&D) tax credit, with strong accountability to require job creation by employers who take the credit.

I also supported a pair of measures that would have helped us to learn just how many Washington tax dollars are leaving the state to pay people for work that could and should have been done here at home. Neither of these common-sense ideas came to fruition this year, but I believe they will during the next legislative session. Private businesses are free to take their business overseas, if they choose to, but I oppose shipping tax dollars and jobs to other states or other countries when the jobs can and ought to be performed here at home.

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